

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

TONY CHRISTOPHER GONZALES,

Plaintiff,

v.

A. CORONADO,

Defendant.

Case No. 1:24-cv-0406 JLT BAM (PC)

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, DISMISSING THE  
ACTION WITH PREJUDICE, AND  
DIRECTING THE CLERK OF COURT TO  
CLOSE THIS CASE**

(Doc. 13)

Tony Christopher Gonzales is a state prisoner and seeks to hold A. Coronado, a correctional counselor, liable for violations of Plaintiff's civil rights while incarcerated at Wasco State Prison. (*See generally* Doc. 1.) The magistrate judge screened Plaintiff's complaint pursuant to 28 U.S.C. § 1915A and found Plaintiff failed to state a cognizable claim. (Doc. 11 at 3-6.) The Court provided the relevant pleading standards and ordered Plaintiff to file any amended complaint within 30 days. (*Id.* at 7.) However, U.S. Postal Service returned the order as "Undeliverable, Unable to Forward" on September 27, 2024. Plaintiff did not file an amended complaint, file a notice of change of address, or otherwise communicate with the Court.

The magistrate judge issued Findings and Recommendations, reiterating the findings in the Screening Order that Plaintiff failed to state a cognizable claim. (Doc. 13 at 3-6.) The magistrate judge also found Plaintiff failed to prosecute this case, comply with the Court's order, or comply with the Local Rules requiring him to keep the Court informed of his current address.

1 (*Id.* at 6-8.) After considering the factors identified in *Henderson v. Duncan*, 779 F.2d 1421 (9th  
2 Cir. 1986), the magistrate judge found terminating sanctions are appropriate and recommended  
3 dismissal with prejudice. (*Id.* at 8-9.)

4 The Court served the Findings and Recommendations on Plaintiff at the only address on  
5 record and notified him that any objections were due within 14 days. (Doc. 13 at 9.) The U.S.  
6 Postal Service also returned the Findings and Recommendations on January 6, 2025, marked  
7 “Undeliverable, OTC, Paroled.” Nevertheless, service upon Plaintiff is deemed fully effective.  
8 *See* Local Rule 182(f) (“Each ... pro se party is under a continuing duty to notify the Clerk and all  
9 other parties of any change of address or telephone number of the attorney or the pro se party.  
10 Absent such notice, service of documents at the prior address of the attorney or pro se party shall  
11 be fully effective.”).

12 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.  
13 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations  
14 are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 15 1. The Findings and Recommendations issued on December 26, 2024 (Doc. 13) are  
16 **ADOPTED** in full.
- 17 2. This action is **DISMISSED** with prejudice.
- 18 3. The Clerk of Court is directed to close this case.

19  
20 IT IS SO ORDERED.

21 Dated: **January 16, 2025**

  
UNITED STATES DISTRICT JUDGE